



medical legal partnership project center for children's advocacy

**TESTIMONY IN REFERENCE TO THE LOW INCOME ENERGY BLACK GRANT BEFORE
THE APPROPRIATIONS, ENERGY AND HUMAN SERVICES COMMITTEE**

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Thank you for providing the **Center for Children's Advocacy** with an opportunity to submit testimony to this committee. My name is Bonnie Roswig, and I am a senior staff attorney with the Center for Children's Advocacy's *Medical-Legal Partnership Project*. The *Medical-Legal Partnership Project* ("MLPP") is a collaborative endeavor that teams the legal advocacy and expertise of the Center for Children's Advocacy with the medical expertise of the pediatric and family medicine clinicians at the Connecticut Children's Medical Center, Saint Francis Hospital and Medical Center, Charter Oak Health Center, Inc., Community Health Services, Inc., the Burgdorf/Bank of America Health Center, the Hospital of Central Connecticut, and Community Mental Health Affiliates, Inc. of central and northwest Connecticut. The Center for Children's Advocacy is a non-profit organization based at the University of Connecticut School of Law that provides holistic legal services for poor children in Connecticut communities through individual representation, education and training, and systemic advocacy. The MLPP, a medical-legal collaborative program that was the second of its kind in the nation, has been working on behalf of Connecticut's children at risk in the clinical setting since April 2000.

We strongly oppose the 2011-2012 LLHEAP Block Grant Proposal.

OPM has crafted an energy assistance block grant proposal that is a departure from any prior Connecticut energy assistance plan. Over 85,000 Connecticut households will lose heating assistance. This proposed change eliminates all benefits for utility heated households and renters whose heat costs are included in rent, as well as many deliverable fuel heated households.

The Low Income Energy Advisory Board¹ recommended an alternative approach that complies with the law and preserves extensive benefits and nongovernmental funding to make energy costs more affordable to the poor. The legislature should order OPM to redraft the plan in accordance with LIEAB's recommendations:

- **Maintain last winter's program structure** (provides benefits regardless of heating source) **and income eligibility levels, with a three-tiered benefit schedule** to allow the program to modify benefits based on actual federal and potential state-appropriated funds. This means the plan would include a benefit for renters and benefits for households with income up to 60% SMI, regardless of heating source. Ensuring utility heated households with income up to 60% SMI even a modest benefit, provides continued access to utility arrearage forgiveness programs.
- **Follow last winter's program time table for benefits** (fuel delivery period: Nov. 1 to and mid-March) **and application deadlines** (Nov. 1 through beginning of May, extended to mid-May for utility heated households with a shut-off notice).
- **Commit state funds to:**
 - **Ensure adequate administrative funding** for Community Action Agencies and other qualified entities to administer the program; and
 - **Supplement federal funds available for energy assistance benefits.**

OPM'S PROPOSAL WILL RESULT IN A LOSS OF ENERGY ASSISTANCE BENEFITS TO MORE THAN 85,100 HOUSEHOLDS, APPROXIMATELY 72% OF THOSE HISTORICALLY ELIGIBLE FOR THIS NEEDED ASSISTANCE. OPM's energy assistance block grant proposal reduces the number of households eligible to receive energy assistance benefits from 118,000 last winter, including all heat sources and renters, to 36,826 for the upcoming winter, limited to deliverable fuel heated households. It accomplishes this in three key ways (in addition to eligibility reductions for weatherization assistance):

- **No benefits are planned for utility heated customers.** Last winter 72,999 households received energy assistance for utility heat, or 62% of the households poor enough to qualify for benefits.
- **No benefits are planned for renters** (heat cost included in the rent payment). Last winter 2,436 households received a renter benefit, or a little more than 2% of those receiving benefits.
- **Income eligibility reduction:** For years the energy assistance program income eligibility has been 60% SMI. OPM's proposal reduces income eligibility **approximately by half from 60% SMI to 150% FPL (200% FPL if there is a person with a disability or over 60 years in the household).** Last winter **Energy assistance is required by federal law to be focused on the lowest income households which pay a high proportion of income for home energy.**² OPM's proposal ignores this requirement. The plan provides benefits based on heat source, not on the low income household's energy burden.

OPM's proposal violates Connecticut's legal prohibition of discrimination based on heat source in energy assistance benefits: In planning for benefits only for deliverable fuel heated households, OPM's proposal attempts to circumvent the state law requirement prohibiting discrimination based on heat source in the energy assistance program. The block grant proposal must include "a basic grant for eligible households that does not discriminate against such households based on the type of energy used for heating."³ **OPM's proposal attempts to get around this nondiscrimination provision by labeling its only planned benefit as "crisis."** Federal law provides for states to reserve until March 15th "a reasonable amount based on data from prior years" for "energy crisis intervention."⁴ There is nothing in Connecticut's energy assistance history to justify expending 100% of program funds for "crisis" assistance.

OPM's proposal does not provide benefits for renters whose heat cost is included in their rental payment: Federal law requires that renters and home owners be treated equitably in the energy assistance program.⁵ Eliminating renter benefits, violates this equity provision. Where landlords provide heat, rental costs reflect this. It is as much an essential energy cost as in situations where households pay directly for heat. And it puts the household at great risk of eviction and dislocation when policy doesn't reflect this reality.